



# Congressional Record

PROCEEDINGS AND DEBATES OF THE **108<sup>th</sup>** CONGRESS, SECOND SESSION

Thursday, December 8, 2004

*Senate*

## INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004—CONFERENCE REPORT

Mr. CARPER. Mr. President, I say to our chairwoman of the committee, Senator Collins, a heartfelt thank-you for the leadership and persistence that she and my good friend Joe Lieberman have demonstrated to get us to this day.

I also say to the President, thanks for using some of that political capital. You picked up a little bit last month, and I am pleased you have decided to invest a little bit of it in a worthwhile cause.

I plan to vote for this bill. I was privileged to be a member of the committee in the Senate that developed the proposal under which this bill is based, and we are happy to be here for this day.

To the members of the 9/11 Commission who have worked hard for about 18 months, their staff, a lot of folks who lost loved ones who provided the impetus, really the wind beneath the wings for the Commission and really for this effort, I say just a heartfelt thank-you for their efforts, and I hope they are pleased with where we are today.

Is this proposal perfect? No. Few of mine are. Is it better? You bet it is. It is a real improvement.

Back in 1947, the year I was born, the CIA was born as well. The intelligence structure that was created around the CIA and Cold-War years that followed was a structure that was designed to enable us to win the war against communism, the Cold War. That war is over. We won that war. We have a new war that we are fighting today, and it is a war against terrorism.

Just as the one approach worked well for many years—our intelligence apparatus worked well for many years against communism—it does not necessarily mean it is going to work well against terrorism. In fact, it has not.

When I was a naval flight officer, when I was not flying in a P-3 airplane, one of my ground jobs was to be the air intelligence officer on the ground, briefing other crews for their missions. We had a crew over here that was flying a top-secret mission, needed information about it, and then another group over here with the same clearance that did not fly that same mission. We did not brief the crew that was not going to fly the mission. There was a need to know. If they had a need to know, we provided the information for them. If they did not have a need to know, we did not provide it for them. It worked well in naval aviation. It did

not work so well when it came to sharing information across 15 different intelligence agencies on information about terrorism.

We had one agency that knew there were bad guys around the world who wanted to come here and hurt us. We had another agency that knew the names of the people who actually came in and actually could have said that these were some of those bad guys. We had another agency that knew folks were being trained to fly in airplanes, not to land them, not to take them off but to literally fly them straight and level. Among those 15 different agencies, I call them stovepipes, they had the information but they never talked. At least they did not talk enough. We did not put it together.

People talked about connecting the dots. That is exactly what did not happen. So we were not talking; we were not sharing information. There was a need-to-know mentality that existed and has existed for a long time with respect to our agencies. It has to change. This bill is going to change it.

Another problem we had, nobody was in charge. There was nobody to assess accountability and say you were accountable for not letting this happen. With this provision, we are going to have a powerful person put in place, nominated by the President, selected by the President. It has to be an extraordinary individual, somebody smart, somebody who enjoys the confidence of both sides of the aisle, somebody who will enjoy the confidence of the intelligence community, somebody who will be willing to work real hard. I am sure that person is out there. My hope is the President will find him. My hope is we will confirm that person.

Some people say this is not a perfect bill; there are some provisions they do not like

maybe with respect to our borders, maybe with respect to immigration, maybe with respect to the rights and prerogatives of the military and making sure they are still in a position to be strong and provide the intelligence that is needed when it is needed to our battlefield soldiers.

This is not a constitutional amendment. This is not something that is in concrete. This is a bill. It is a bill that has been hard fought and a compromise has been well won, but it is not forever. To the extent we go forward and we find that changes need to be made, we can make them, and we should.

In conclusion, we have been working at this stuff for a long time. People have known the system was broke for a long time. We have had any number of recommendations and studies that said, fix this system and this is how to do it. We have not done it. Today we have the opportunity to change it and to take a real step in the right direction. We would be foolish not to. I am happy to say we are not foolish. We are doing the right thing. It is time to seize the day, and that is exactly what we are going to do.

My thanks again to all those who have worked so hard to get us to this point.

I yield back my time.